

**Adopted on 4/12/2013 Last Reviewed on 5/11/2020 Last Revised on 5/11/2020**

**Student Discipline Policy**

The Governing Board of Westside Atlanta Charter School (“Board”) adopts the following policy which shall be effective on that date that the policy is adopted by the Board.

**SECTION 1. Purpose**

SECTION 1.1. Westside’s discipline policy sets out the rules of student behavior applicable to all students and the procedures for imposing discipline on students who violate these rules. In general, discipline is designed to correct a student’s misconduct and to encourage the student to be a responsible citizen of the school community. Disciplinary actions will be in proportion to the severity of the unacceptable behavior, its impact on the school environment, the student’s age and grade level, the student’s previous discipline history, and other relevant factors.

The disciplinary process may include due consideration of student support services that may be available through Westside, the school system, other public entities, or community organizations. Where feasible, Westside prefers to reassign disruptive students to alternative educational settings rather than to suspend or expel such students from school.

Parental notification and parental involvement are essential to any effort to modify a student’s inappropriate behavior. The intent of this policy will only be effective if parents and guardians, teachers and school administrators work together to improve student behavior and enhance academic performance.

**SECTION 2. Investigation Process**

When a violation of school rules is reported or suspected, the principal or designee will determine whether an investigation is warranted and, if so, will instruct appropriate personnel to conduct an investigation. The investigation should include interviews with the alleged perpetrator(s), victim(s), identified witnesses, teacher(s), staff members, and others who might have relevant information. Written statements should be obtained from all individuals who are interviewed. Any physical and documentary evidence should be collected and preserved. School staff should be utilized for their expertise as determined by the circumstances of the matter. At an appropriate time during or after the investigation, the parent(s) or guardian(s) will be notified. However, if the incident involves an injury or similar situation, appropriate medical attention should be provided, and the parent(s) or guardian(s) should be notified immediately.

**SECTION 3. Definitions of Disciplinary Methods**

3.1 *In-School Suspension*

The removal of a student from regular classes and assignment to an in-school suspension setting. The student’s teachers send class assignments to in-school suspension. The student may not attend or participate in extracurricular activities while assigned to in-school suspension.

A teacher may request that a student who has been assigned to in-school suspension be allowed to attend his/her class. The granting of this request is limited to cases where it is extremely important that a class not be missed or where a class cannot be made up at a later date. The Executive Director/Principal has the final decision.

For minor offenses, in lieu of in-school suspension, and upon student or parental request, students may be given the option of school service (i.e., picking up trash on the school grounds, cleaning lunchroom tables, etc.), provided, however, the school service is age-appropriate, supervised and does not include restroom duties.

3.2. *Out-of-School Suspension*

3.2.1. Short-term suspension means the removal of a student from school (or school bus) for one to ten school days. The Executive Director/Principal may impose a suspension of one to three school days. A formal hearing officer (defined below) may impose an out-of-school suspension of up to ten school days. Schoolwork missed during one to three day suspensions may be made up when the student returns to school. For suspensions of four to ten school days, parent(s)/guardian(s) may request schoolwork and pick up the schoolwork during school hours.

3.2.2. Long-term suspension means the removal of a student from school (or school bus) for more than ten school days but not beyond the current school semester. Only the Student Evidentiary Hearing Committee (defined below) or the Board of Education may impose long-term suspension.

A student on long-term suspension who has not been referred to an alternative school may not receive homework, make up work, or take semester exams unless allowed to do so by the Student Evidentiary Hearing Committee or the Board of Education. A student on long-term suspension is not allowed on school property and may not participate in any school activities or school functions.

In some cases (limited to one per student per academic year), the Executive Director/Principal may temporarily postpone a student’s suspension if the offense was committed at a critical time in the academic calendar (i.e., immediately before final exams). This does not apply to offenses that are violations of state or federal law or that involve weapons, violence or drugs.

3.3. *Expulsion*

The removal of a student from school (or school bus) for a specified period of time beyond the current semester. Only the Student Evidentiary Hearing Committee or the Board of Education may impose expulsion.

A student who has been expelled may not attend any school within the district but may apply for readmission after six (6) months.

3.4. *Alternative School*

A student who is removed from his/her local school for more than ten (10) school days may be allowed to attend an alternative school for instruction, academic support, and counseling. Alternative school enables a student to take academic classes that allow the student to keep up with the course credit requirements toward graduation. The student may not return to his/her school or any other school or attend any extracurricular activities while attending an alternative school pursuant to a long-term suspension or expulsion.

3.5. *Probation*

“Probation” means that a student is placed on a trial period during which the student is expected to maintain good behavior. A student found guilty of certain offenses may be placed on probation by a local school administrator, a local formal hearing officer, the Student Evidentiary Hearing Committee, the Disciplinary Action Review Committee, or the Board of Education. Violation of a local school or school system rule while on probation may result in further disciplinary action, including a possible referral to the Student Evidentiary Hearing Committee.

3.6. *Restrictions on School Activities*

Students who are suspended or expelled will not be allowed to participate in any school-sponsored activities, if these occur during the period of suspension or expulsion. A parent or guardian may, for good cause, petition the school principal for permission for the student to participate in school-sponsored activities. If denied permission by the Executive Director/Principal, the parent or guardian may appeal to the Executive Director/Principal or superintendent. If denied by the principal or superintendent, the parent or guardian may appeal to the Board. The Board’s decision shall be final.

**SECTION 4. Offenses and Consequences**

4.1. *Use of Tobacco and Other Tobacco Products*

Students shall not possess or use any tobacco products on School property or on a School bus or at any school event held away from School. No student, staff member or School visitor is permitted to use any tobacco product at any time on any School property or at any School event, including non-school hours.

1st Offense: Conference with student and/or parent/guardian and referral to a relevant program.

2nd Offense: 3-day in-school suspension, warning, place on probation and a mandatory referral to a relevant program. Evidence of completion of the program must be provided to the principal or other authorized school leader.

3rd Offense: A Local Formal Hearing must be held. If found guilty at the Local Formal Hearing, the student may be suspended for up to ten (10) school days.

4th Offense and Subsequent Offense(s): Student is referred to the Student Evidentiary Hearing Committee, which could impose long-term suspension, expulsion, or a referral to an alternative school. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4.2. *Electronic Communication Devices, Including Paging Devices, Cellular Phones, Walkie-Talkies and Similar Devices*

Students shall not use any electronic communication device, including but not limited to paging devices, cellular phones, smart phones, tablets, lap-tops, Apple Watches, walkie-talkies, and similar devices, during instructional time or on school buses (O.C.G.A. § 20-2-1183). Students sending inappropriate messages and/or images via electronic communication devices or the internet could result in criminal consequences.

1st Offense: Warning and confiscation of the device. Confiscated devices will be returned only to the parent/guardian.

2nd Offense: Confiscation of the device, detention, community service/work detail or comparable consequence, and required conference with parent/guardian.

3rd Offense and Subsequent Offense(s): Confiscation of the device and In-School Suspension (ISS) pending a Local Formal Hearing, which may result in up to ten days of ISS.

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4.3. *Weapons, Explosives and Other Devices*

4.3.1. A student shall not supply, possess, handle or transmit any weapon or any other tool or instrument capable of inflicting bodily injury as a weapon. The terms “weapons,” “tools,” or “instruments” shall include by way of illustration, but are not limited to, the following items: any loaded, unloaded, operable or inoperable firearm (e.g., pistol, blank pistol, signal pistol, starter pistol, revolver, rifle, shotgun, stun-gun, pellet or BB gun, paintball gun, look-alike firearms, etc.); any knife of any size (e.g., Bowie, Dirk, lock-blade, hunting, pen, pocket, switchblade, utility, etc.); any razor (e.g., straight, regular, retractable, double-sided, etc.); any defensive device (e.g., gas repellent, mace, stun-gun, chemical sprays, etc.); any martial arts device (e.g., throwing star, nunchaku, dart, etc.); or any tool or instrument which school staff could reasonably conclude violates the intent of this offense section, which, by way of illustration shall include, but is not limited to, blackjack, chain, club, metal/brass or any artificial knuckles, night stick, pipe, rings, studded/pointed/ sharpened bracelets or other similar jewelry, ax handles, ice pick, etc.

If a student supplies, possesses, handles, or transmits a weapon or other tool capable of inflicting bodily injury as a weapon, a Local Formal Hearing must be held. If found guilty at the Local Formal Hearing, the student may be suspended for up to 10 school days and referred to the Student Evidentiary Hearing Committee, which could impose long-term suspension, expulsion, or a referral to an alternative school.

4.3.2 A student shall not supply, possess, handle, use, threaten to use, or transmit any explosive device or item that ejects or releases a spray, foam, gas, spark, fire, smoke, odor, etc. Such devices or items shall include, but are not limited to, bullets, ammunition of any type, fireworks of any type and size, smoke bomb, paint bomb, stink bomb, any type of homemade bomb, or items which by virtue of shape or design gives the appearance of any of the aforementioned (e.g., fake bombs, firework fuses, etc.), or gasoline, kerosene, explosive or corrosive chemicals, or any explosive aids or devices.

If a student supplies, possesses, handles, or transmits an explosive device, a Formal Hearing must be held. If found guilty at the Local Formal Hearing, the student may be suspended for up to ten (10) school days and referred to the Student Evidentiary Hearing Committee, which could impose long-term suspension, expulsion, or a referral to an alternative school.

4.3.3. A student shall not use, possess or transfer on school property or at any school function or activity or on a school bus water pistols, other instruments that project water or other liquids, toy guns, matches, lighters, laser pointers, devices that emit an electrical shock, or other devices, which when used inappropriately, cause discomfort/harm to another person and/or disrupt the educational environment.

If a student is found to use to have violated this prohibition, a Local Formal Hearing must be held and the student may be suspended up to ten (10) school days and referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension, expulsion, or a referral to an alternative school. However, if such items are not used inappropriately, and depending on the age of the student, the penalty shall range from a conference with the student and parent/guardian to a three-day suspension.

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4.4. *Physical Violence against Teachers, Bus Drivers, School Officials, or Other School Employees*

As used in this policy the term physical violence shall mean: (1) intentionally making physical contact of an insulting or provoking nature with the person of another; or (2) intentionally making physical contact which causes physical harm to another unless such physical contact or physical harm was in self-defense.

4.4.1**.** *Physical Violence of an Insulting or Provoking Nature*

A student shall not commit an act of physical violence of an insulting or provoking nature against a teacher, school bus driver, school official, or other school employee.

Any student alleged to have violated this rule shall be suspended pending a Formal Hearing. If found guilty at the Local Formal Hearing, the student is suspended for ten (10) school days and is referred to the Student Evidentiary Hearing Committee (SEHC), which may impose long-term suspension, expulsion, or a referral to an alternative school.

4.4.2. *Physical Violence Causing Physical Harm*

A student shall not commit an act of physical violence causing physical harm against a teacher, school bus driver, school official or other school employee. In accordance with OCGA 20-2-751.6, a student found to have committed an act of physical violence against a teacher, school bus driver, school official, or school employee resulting in physical harm shall be expelled from school for the remainder of the student’s eligibility to attend public school.

Any student alleged to have violated this rule shall be suspended pending a Local Formal Hearing. If found guilty at the Local Formal Hearing, the student is suspended for ten (10) school days and is referred to the Student Evidentiary Hearing Committee (SEHC). If found guilty at the SEHC hearing, the student is expelled for the remainder of the student’s eligibility to attend school. The SEHC in its discretion may permit the student to attend an alternative education program for the period of the expulsion.

The student will be referred to the juvenile court with a request for a petition alleging delinquent behavior. If the student is in kindergarten through grade eight, the SEHC may permit the student to seek reenrollment in a regular public school program for grades nine through twelve. Additionally, if the student is in kindergarten through grade six and there is no alternative educational program available, the SEHC in its discretion may permit the student to reenroll in school. (O.C.G.A. § 20-2-751.6)

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4.5. *Alcohol, Drugs and Other Substances*

For purposes of this policy, drugs shall mean all substances, including but not limited to, alcohol and alcoholic beverages, prescription drugs, over-the-counter drugs, look-alike drugs, inhalants, pills, tablets, capsules, synthetic substances and all other legal and illegal drugs or substances. Use of alcohol and other drugs by minors is illegal and harmful.

State law makes it unlawful for any person to manufacture, distribute, dispense, or possess with the intent to distribute any controlled substance or marijuana in, on, or within 1,000 feet of any real property owned by or leased to any public or private school or school board. Any person who violates or conspires to violate any section of this law shall be guilty of a felony. (O.C.G.A. § 16-13-32.4)

4.5.1. *Intent/Attempt/Sell/Distribution of Drugs*

A student shall not sell, attempt or intend to sell, distribute, or attempt or intend to distribute, drugs or substances represented or believed by the student to be drugs and thought by the buyer or receiver to be drugs.

A student thought to be in violation of this policy shall be subject to a Formal Hearing. If found guilty at the Formal Hearing, the student is suspended for ten (10) school days and is referred to the Student Evidentiary Hearing Committee, which could impose long-term suspension or expulsion, or make a referral to an alternative school.

4.5.2. *Possession/Use/Under the Influence of Drugs*

A student shall not possess, use or be under the influence of drugs or substances represented or believed by the student to be drugs.

1st Offense: A Formal Hearing must be held for students who are found to be in possession of, or under the influence of, or using drugs, the use or possession of which is not punishable as a felony, and who are not charged with another offense. If found guilty at the Formal Hearing, the student is suspended for ten (10) school days. If the parents/guardians and student accept the offer to attend a drug education program, five (5) days of the 10-day suspension shall be waived upon successful completion of the requirements of the drug education program. If the requirements of a drug program, which requires parent/guardian and student attendance, are not successfully completed, the full 10-day suspension shall be imposed.

2nd Offense and/or if the substance is a felony or designated felony possession: A Local Formal Hearing must be held. If found guilty at the Local Formal Hearing, the student is suspended for ten (10) school days and is referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension or expulsion, or make a referral to an alternative school, or expulsion.

4.5.3. *Possession and/or Distribution of Drug-Related Paraphernalia*

A student shall not possess or distribute drug-related paraphernalia. Drug- related paraphernalia includes, but is not limited to pipes, water pipes, clips, rolling papers and other items used or related to drug use.

1st Offense: A Formal Hearing must be held. If found guilty at the Formal hearing, the student is suspended for ten (10) school days with the option to attend a drug education program to reduce the suspension to five days, as discussed above.

2nd and Subsequent Offenses: A Formal Hearing must be held. If found guilty at the Formal Hearing, the student is suspended for ten (10) school days.

4.5.4. *Prescribed Medications*

Prior to possessing or using prescribed medication on school property or on a school bus, a student must obtain the appropriate and required medical documentation and must consult with the principal or designated school administrator regarding procedures for medication administration. See Appendix K for further information.

Under state law, students with asthma or life-threatening allergies may carry and use their inhalers or auto-injectable epinephrine as needed, based upon school receipt of a doctor’s prescription and parent’s written permission. A student may be subject to disciplinary action if he/she uses auto-injectable epinephrine or any other medications in a manner other than as prescribed.

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*4.6. Property*

4.6.1. *Destruction/Damage/Attempts/Threats*

A student shall not destroy, damage, vandalize, or deface, or threaten or attempt to destroy, damage, vandalize, or deface, or set fire to or attempt to set fire to, school or staff property, property used by the school, or private or public property located on school property.

A Formal Hearing must be held if the destruction, damage, defacement, or vandalism requires repairs exceeding $100, if the student set or attempted to set fire to school property or if the student created gang-related graffiti. If found guilty at the Local Formal Hearing, the student is suspended for up to ten (10) school days and may be referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension or expulsion, and/or make a referral to an alternative school. The student must make restitution for any damage caused by the student’s behavior.

4.6.2. *Theft/Attempt/Possession*

A student shall not engage in theft and/or attempted theft or theft by deception of public or private property on school grounds, extortion or attempted extortion of another student, teacher or school administrator; possession of stolen school property or property of another student, teacher or school administrator; possession and/or distribution of counterfeit money/checks/money orders.

Penalty may range from detention to expulsion. A Formal Hearing must be held when the theft or theft by deception or extortion or the amount of counterfeit money/checks/money orders exceeds $100. If found guilty at the Formal Hearing, the student is suspended for up to 10 school days and may be referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension or expulsion, and/or make a referral to an alternative school. The student must make restitution for any loss caused by the student’s behavior.

4.6.3. *Textbooks, Media Center Materials, Computer Equipment/Use*

Loss, destruction, defacement, and/or inappropriate use of textbooks, media center materials, or computer and computer- related equipment and materials, including inappropriate use of the Intranet or Internet, shall be a violation of this policy

Penalty may range from detention to short-term suspension. A Local Formal Hearing must be held if the damage exceeds $100. If found guilty at the Local Formal Hearing, the student is suspended for up to ten (10) school days and may be referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension or expulsion, and/or make a referral to an alternative school. The student must make restitution for any damage caused by the student’s behavior.

As addressed in other policies, any form of electronic bullying (cyberbullying), threats and/or harassment using school equipment, school networks, e-mail systems or committed at school is strictly prohibited.

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4.7. *Bullying/Hazing, Assault, Battery against Students, School Personnel, School Visitors*

4.7.1. *Assault*

A student shall not verbally threaten and/or intimidate teachers, administrators, bus drivers, other school personnel, other students, or persons attending school-related functions, with or without the use of physical contact; shall not attempt to hurt any such persons without physical contact; and shall not engage in verbal altercations and/or actions which cause such persons to be in reasonable fear of immediate bodily harm.

Penalty may range from in-school suspension to expulsion. A Formal Hearing must be held when the verbal threat is a threat to life, when the verbal threat is directed to a person expected to testify in a hearing, or when the verbal threat is directed to a school employee. If found guilty at the Formal Hearing, the student is suspended for up to ten (10) school days and is referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension or expulsion, and/or make a referral to an alternative school.

4.7.2. *Simple Battery*

Students are prohibited from fighting or making physical contact of an insulting, offensive or provoking nature with teachers, administrators, bus drivers, other school personnel, other students or persons, or causing physical harm to another.

Penalty may range from in-school suspension to short-term suspension, if the incident involved a fight between or among students without injuries and without causing a school disturbance. A Formal Hearing must be held when a student makes physical contact with a school system employee or if the incident caused a major school disturbance. If found guilty at the Formal Hearing, the student is suspended for ten (10) school days and is referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension or expulsion, and/or make a referral to an alternative school.

4.7.3. *Battery*

Students are prohibited from causing substantial or visible bodily harm such as substantially blackened eyes, substantially swollen lips or other facial or bodily part, substantial bruises to body parts or other substantial injury to teachers, administrators, bus drivers, other school personnel, other students, or persons attending school-related functions. Students found to be in violation of this policy must participate in a Formal Hearing. If found guilty at the Formal Hearing, the student is suspended for ten (10) school days and is referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension or expulsion, and/or make a referral to an alternative school.

4.7.4. *Aggravated Assault*

A student commits the offense of aggravated assault when the student engages in an assault with a deadly weapon or with an object or device which, when used offensively, is likely to or actually does result in serious bodily harm to a teacher, administrator, bus driver, other school personnel, other students, or persons attending school-related functions. A student found to be in violation of this policy must participate in a Formal Hearing. If found guilty at the Formal Hearing, the student is suspended for ten (10) school days and is referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension or expulsion, and/or make a referral to an alternative school.

4.7.5. *Aggravated Battery*

A student commits the offense of aggravated battery when the student maliciously causes bodily harm to a teacher, administrator, bus driver, other school personnel, other students, or persons attending school-related functions, by depriving such person of a member of his/her body, by rendering a member of his/her body useless, or by seriously disfiguring his/her body or a member thereof.

A student found to be in violation of this policy must participate in a Formal Hearing. Based on a finding of guilty at the Formal Hearing, the student is suspended for ten (10) school days and is referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension or expulsion, and/or make a referral to an alternative school.

4.7.6 *Bystander Battery*

A student who does not start a fight but becomes involved in it will be charged with Bystander Battery if he/she could have avoided the fight.

A student found to be in violation of this policy must participate in a Formal Hearing. Based on a finding of guilty at the Formal Hearing, the student is suspended for up to ten (10) school days and may be referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension or expulsion, and/or make a referral to an alternative school.

4.7.7. *Bullying/Hazing*

A student violates this policy if the student repeatedly threatens, intimidates, harasses, makes physical contact with or subjects another student to any other form of physical or emotional hurt, including hazing associated with membership in extracurricular organizations (sports teams, band, etc.). Violations of this offense code include:

• Verbal assaults such as unwanted teasing or name-calling;

• Threats, taunts and intimidation through words and/or gestures;

• Direct physical contact such as hitting or shoving;

• Physical violence and/or attacks;

• Destruction of school or personal property;

• Any form of electronic bullying or cyberbullying using school equipment, school networks, or e-mail systems or committed at school;

• Theft of money and/or personal possessions for the purpose of bullying, harassing, or intimidating;

• Harassment or intimidation motivated by any actual or perceived characteristic including race, color, ethnicity, religion, gender, gender identity, sexual orientation, ancestry, national origin, physical attributes, socioeconomic status, physical or mental ability or disability, or by any other distinguishing characteristic;

• Public humiliation;

• Social isolation;

• Extortion or manipulation, including incitement and/or coercion;

• Rumors or spreading of falsehoods;

• Stalking;

• Cyberstalking or engaging in conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to the victim;

• Cyberbullying or the willful, hostile and repeated harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, social networking websites (e.g., Instagram, Snapchat, Twitter, Tik Tok, Facebook, etc.), chat rooms, texts, and instant messaging;

• The use of cameras or camera phones to take embarrassing photographs of students or school employees and distributing them to others or posting them online;

• Sending abusive or threatening text messages or instant messages; and

• Using websites to circulate gossip and rumors to other students.

Disciplinary action after the first incident of bullying may include but is not limited to the following:

• Loss of a privilege

• Reassignment of seats in the classroom, cafeteria, or school bus

• Reassignment of classes

• Detention

• In-school suspension

• Out-of-school suspension (through appropriate due process hearing)

• Expulsion (through appropriate due process hearing)

• Assignment to an alternative school (through appropriate due process hearing)

[Students in grades six through twelve found to have committed the offense of bullying for the third time in a school year shall at a minimum be assigned to an alternative school through appropriate due process by disciplinary hearing officers, panels, or tribunals (O.C.G.A. § 20-2-751.4).]

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4.8. *Rude/Disrespectful Behavior and/or Refusal to Carry Out Instructions*

4.8.1  *Rude or Disrespectful Behavior*

A student violates this policy if the student is discourteous or uses inappropriate language, behavior or gestures, including vulgar/profane language, toward teachers, administrators, bus drivers, other school personnel, other students, or persons attending school-related functions.

Penalty may range from a verbal reprimand to a short-term suspension.

4.8.2. *Refusal to Carry Out Instructions of Faculty or Staff Member*

A student violates this policy if the student refuses to follow the instructions of teachers, school administrators, or other staff members (e.g., refusing to leave an area, refusing to stop aggressive behavior, refusing to stop disruptive behavior, etc.).

Penalty may range from a verbal reprimand to short-term suspension.

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4.9. *Unexcused Absences and/or Truancy*

Unexcused absences and truancy are a violation of the Code of Student Conduct. Excused absences are defined by Georgia Law as follows: personal illness; serious illness or death in the family; religious holiday; instances in which attendance could be hazardous as determined by the School; registering to vote/voting in a public election; tests and physical exams for military service and the National Guard; and other such absences as provided for by law or by the local board of education. Georgia law provides up to 5 days of excused absences for students whose parents are in the armed forces and who are called to duty or home on leave from overseas deployment in a combat zone. Students serving as pages of the Georgia General Assembly shall be counted as present for days missed from school for such service. Furthermore, a foster care student who attends court proceedings relating to the student’s foster care shall be credited as present by the school and shall not be counted as an absence, either excused or unexcused, for any day, portion of a day or days missed from school (O.C.G.A § 20-2-692.2).

Penalties for student non-compliance is as follows:

1-2 unexcused absences: Student receives a warning. Teacher is responsible for contacting the parent(s);

3-6 unexcused absences: Student receives one-day detention or comparable consequence. Referred to the counselor who is responsible for contacting the parent(s);

7-10 unexcused absences: Student receives a discipline referral and one-day in-school suspension (ISS) or comparable consequence. School to schedule a student/parent conference for the purpose of signing an attendance contract;

11+ absences: Student receives a discipline referral and ISS or comparable consequence pending a local formal hearing. Parent contacted and referral to counselor and social worker. Student is given choice of ten (10) days ISS, alternative school/program placement, or comparable consequence.

In accordance with O.C.G.A. 20-2-690.1, any parent/guardian who does not comply with compulsory attendance mandates shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not less than $25.00 and not greater than $100.00, imprisonment not to exceed 30 days, community service, or any combination of such penalties, at the discretion of the court having jurisdiction. Each day’s absence from school in violation of this part after the child’s school system notifies the parent/guardian of five unexcused days of absence shall constitute a separate offense.

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4.10. *Skipping Class or Required Activities*

Students are in violation of this policy if they leave school or school property without administrative authorization or if they do not report to, or fail to return to, classes or required school activities.

Penalty may range from detention to in-school suspension. After five (5) incidents of skipping, a parent conference must be held. If the student continues to skip classes, the student is referred to the counselor and/or school social worker. Chronic skipping of classes may result in a Formal Hearing and an in-school suspension of up to ten (10) days.

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4.11. *Classroom Disturbance*

Any behavior that disrupts the instructional process, distracts students and/or teachers from classroom activities and studies, or creates a dangerous or fearful situation for students and/or staff is a violation of this policy.

Penalty may range from detention to short-term suspension, unless a student creates a dangerous situation. A Formal Hearing must be held if a student creates a dangerous situation in a classroom. If found guilty at the Formal Hearing for creating a dangerous situation in the classroom, the student is suspended or placed in in-school suspension for up to ten (10) school days and may be referred to the Student Evidentiary Hearing Committee, which could impose long-term suspension or expulsion, and/or make a referral to an alternative school.

4.11.1. *School Disturbance*

Students shall not engage in acts that cause or may cause disruption of the school environment and/or threaten the safety or well-being of other students. Prohibited acts include, but are not limited to, terroristic threats, gang-related activities, walk-outs, sit-downs, rioting, picketing, trespassing, inciting disturbances, threats to the school, pranks, actual violence during period of disruption, etc.

A Formal Hearing must be held. If found guilty at the Formal Hearing, the student maybe suspended for up to ten (10) school days and, if the school disturbance is a major disturbance, the student is referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension or expulsion, and/or make a referral to an alternative school.

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4.12. *Profanity/Obscenity*

Prohibited conduct includes, but is not limited to, profane, vulgar, obscene words or gestures; spitting on another student; possession of profane, vulgar, or obscene material; and profane, vulgar, obscene or insulting comments or actions.

Penalty may range from detention to a short-term suspension. A parent conference should be held. Repeated incidents may result in a referral to the Student Evidentiary Hearing Committee, which may result in suspension, a referral to an alternative school, or expulsion. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4.13.  *Failure to Accept Disciplinary Action*

Refusing or failure to serve detention, in-school suspension, or any other disciplinary action imposed by a teacher or school administrator constitutes a violation of this policy and the penalty may range from detention to short-term suspension.

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4.14. *Bus Misbehavior*

Prohibited bus behaviors include but are not limited to any behavior that disrupts or distracts a bus driver, or causes a dangerous situation for a bus driver and/or students, or that disturbs the orderly operation of a bus, or that creates a dangerous situation for vehicles operating near a bus. Prohibited bus behaviors also include the use of any electronic devices during the operation of a school bus, including but not limited to cell phones, pagers, audible radios, tape, compact disc players, or similar devices without headphones; or the use of any other electronic device in a manner that might interfere with the school bus communications equipment or the school bus driver’s operation of the school bus. Prohibited bus behaviors also include the use of mirrors, lasers, flash cameras, or any other lights or reflective devices in a manner that might interfere with the school bus driver’s operation of the school bus.

Penalty may range from a conference with the student, parent/guardian, bus driver, and school administrator to suspension and removal from the school bus for up to ten (10) school days. Serious or repeated bus misbehavior may result in a referral to the Student Evidentiary Hearing Committee, which may result in long-term suspension, a referral to an alternative school, or expulsion. If a student engages in acts of physical violence on the school bus, the student will be subject to the penalties set forth for that misbehavior in this Code of Student Conduct. In addition, if a student is found to have engaged in bullying or in physical assault or battery of another person on the school bus, the student’s parents or guardian must also meet with the student’s principal or designee to form a school bus behavior contract for the student. The contract shall provide for progressive, age-appropriate discipline, penalties, and restrictions for student misbehavior on the bus. Contract provisions may include but shall not be limited to assigned seating, ongoing parental involvement, and suspension from riding the bus.

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4.15. *Conduct Outside of School Hours or Away from School*

A student violates this policy when the student engages in any conduct, including cyberbullying, outside of school hours or away from school which may adversely affect the educational process or endanger the health, safety, morals, reputation, or well-being of other students, teachers, or other employees of the school system.

A student found to be in violation of this policy must participate in a Formal Hearing must be held. If found guilty at the Formal Hearing, the student is suspended for ten (10) school days and is referred to the Student Evidentiary Hearing Committee, which may impose long-term suspension or expulsion, and/or make a referral to an alternative school.

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4.16. *Gambling*

Prohibited acts of gambling include, but are not limited to, such acts as betting money or other items on card games, dice games, or the outcome of games or activities, and/or possession of gambling materials or paraphernalia.

Penalty may range from detention to short-term suspension. Repeated incidents may result in a referral to the Student Evidentiary Hearing Committee, which may result in suspension, a referral to an alternative school, or expulsion.

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4.17. *Repeated Violations/Chronic Misbehavior/Violation of Probation*

Behavior that repeatedly or chronically disrupts or disturbs the educational process, the orderly operation of school, school activities, school buses, or other school operations constitutes a violation of this policy. Before a student may be charged with such a violation, the student must be warned of possible consequences and be referred to a school counselor, school social worker, or other appropriate resource personnel. In addition, the parents/guardian must be contacted about the misbehavior, be given an opportunity to observe their child in school, and be given an opportunity to participate in the development of a student discipline correction plan.

A Formal Hearing must be held if the student continues to violate school rules after implementation of a discipline correction plan. Based on a finding of guilty at the Formal Hearing, the student is suspended for up to ten (10) school days and is referred to the Student Evidentiary Hearing Committee, which may result in suspension, a referral to an alternative school, or expulsion.

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4.18. ***Parking and Traffic Violations***

Students who choose to park a vehicle on school property must purchase a parking permit, display the decal sticker on their vehicle, park in their assigned spot, and comply with all parking and traffic regulations issued by the School. Parking on school property without a permit or with an expired permit, engaging in reckless or careless operation of a vehicle on or near school property or near a school bus, or failing to comply with all parking and traffic regulations issued by the School. Parking permits must be renewed upon expiration.

Penalty may include revocation of parking permit, towing of vehicle off campus at student’s expense, detention, or short-term suspension. For reckless driving on school property or in a school zone and/or for repeated incidents, a Formal Hearing must be held. If found guilty at the Formal Hearing, the student is suspended for up to ten (10) school days and is referred to the Student Evidentiary Hearing Committee, which may result in suspension, a referral to an alternative school, or expulsion.

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4.19. *Loitering or Going on Any School Campus without Authorization/Trespassing*

A student may not enter or remain in any school building on weekends or after school hours without authorization or permission. When a student refuses to leave any school property and/or returns to any school property after being instructed by school staff or law enforcement staff to leave the property, the student will be in violation of this section and the matter may be referred to law enforcement.

Penalty may range from detention to short-term suspension. For repeated incidents, a Formal Hearing must be held. If found guilty at the Formal Hearing, the student is suspended for ten (10) school days and is referred to the Student Evidentiary Hearing Committee, which may result in suspension, a referral to an alternative school, or expulsion. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4.20. *Providing False Information*

This offense includes, but is not limited to, such acts as falsifying school records, forging signatures, making or providing false statements, cheating, bribery, or using an unauthorized computer user ID or password. Students are prohibited from falsifying, misrepresenting, omitting or erroneously reporting information regarding instances of alleged inappropriate behavior by a teacher, administrator, or other school employee.

Penalty may range from detention to short-term suspension. For serious or repeated incidents, a Formal Hearing must be held. If found guilty at the Formal Hearing, the student may be suspended for up to ten (10) school days and may be referred to the Student Evidentiary Hearing Committee, which may result in suspension, a referral to an alternative school, or expulsion.

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4.21. Inappropriate Bodily Contact of a Sexual Nature; Sexual Misconduct; Sexual Harassment

This offense prohibits sexual conduct between or among students or against School employees or visitors on school property or at any school activity or event, including, but not limited to, consensual sexual contact, nonconsensual sexual contact, sexual assault, unwelcome sexual advances or comments, request for sexual favors and/or indecent exposure.

Any student found to be in violation of this policy must participate in a Formal Hearing. If found guilty at the Formal Hearing, the student is suspended for up to ten (10) school days and may be referred to the Student Evidentiary Hearing Committee, which may result in suspension, a referral to an alternative school, or expulsion.

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4.22. *Discipline of Students with Disabilities.*

SECTION 4.22.1. Discipline of students with disabilities requires certain considerations because behavior may or may not be related to the disability.  Teachers and administrators shall follow the following guidelines for disciplining students with disabilities:

SECTON 4.22.1.1. Determine which students have been identified as disabled and review their IEPs or Section 504 Plan at the start of the semester before there are discipline problems. An IEP or Section 504 Plan may include a Behavior Intervention Plan, which specifies how certain behaviors are to be handled.

SECTION 4.22.1.2. Students whose IEPs or Section 504 Plan do not address behavior or discipline should be treated like non-disabled students with consideration of the disability.

SECTION 4.22.1.3. In all cases, however, a student with a disability may not be suspended from school (including ISS - if the student does not receive the specified special education services) for more than a cumulative total of 10 days per school year without further determination of appropriate consequences and placement to ensure student’s needs are being met according to their IEP.

SECTION 4.22.1.4. When the total number of suspension days nears ten (10) or a significantly disruptive behavior occurs, the following procedure should be followed:

SECTION 4.22.1.5. The [principal or other title (or designee) of Special Education should be notified to assure that all due process procedures are followed.

SECTION 4.22.1.6. The IEP committee will carefully review the IEP and current placement to determine if the behavior is related to the disability and if changes should be made in the IEP related to modifications, accommodations, or placement.

SECTION 4.22.1.7. For Section 504 students, the SST will review the 504 Plan and determine if the behavior is related to the disability.

SECTION 4.22.1.8. Classroom teachers should work closely with special education teachers and the Student Support Team to determine appropriate methods of discipline.

**SECTION 5. Violation of Law.**

SECTION 5.1. All violations of state law shall be referred to the proper law enforcement agencies by the Executive Director/Principal. School level consequences may also apply at the discretion of the Executive Director/Principal.

SECTION 5.2. Parents will be contacted when any major offense occurs. It is the policy of this State that it is preferable to assign disruptive students to alternative educational settings rather than to suspend such students from school.

**SECTION 6. Rights of Teachers.**

SECTION 6.1. A teacher shall have the authority to remove from his or her class a student who repeatedly or substantially interferes with the teacher’s ability to communicate effectively with the students in the class or with the ability of the student’s classmates to learn, where the student’s behavior is in violation of the student code of conduct, or if the teacher determines that such behavior of the student poses an immediate threat to the safety of the student’s classmates or the teacher.  The parent will be required to attend a conference and develop a behavior plan.

**SECTION 7. Zero Tolerance Offenses.**

SECTION 7.1. The following offenses may require police contact and shall be grounds for long-term suspension/expulsion/permanent expulsion, or denial of enrollment.

* Possession, or use of, or threat to use weapons, look a-like weapons, dangerous instruments, or explosive/implosive devices.
* Terroristic threats.
* Riotous Behavior.
* Possession, use, or distribution of drugs, or possession, use or distribution of drug paraphernalia.  Distribution of over the counter drugs, look-a-like drugs, or alcoholic beverages.
* Physical or verbal assault on a school employee.  (Any act of violence against a teacher, bus driver, or other school employee causing injury shall result in expulsion for the remainder of the student’s school years.)
* Assault/Battery.
* Bullying.
* Arson or destruction of property.
* Sexual Battery and other Sexual Offenses.
* Sexual Harassment (2nd offense).
* Computer Trespass.
* Chronic disciplinary problems.  Repeated occurrences of Level One or Two offenses shall be treated as a Level Three offense.
* Any act which substantially disrupts the orderly conduct of a school.
* Any act, whether school related or non-school related, on-campus or off-campus, which could result in the student being criminally charged with a felony and which makes the student’s continued presence at school a potential danger to persons or property at the school or which disrupts the educational process;
* Gang related activities, a gang is defined as any three or more individuals who have a name, claim a territory, use graffiti to mark a schools territory, or themselves, have rivals/enemies, or interact together at the exclusion Of other people.  The existence of such gang affiliation may be established by evidence of a common name or common identifying signs, gestures, symbols, tattoos, graffiti, attire or other distinguishing characteristics.  Evidence will be validated as characteristics of known gangs in consultation with local law enforcement.
* Falsifying, misrepresenting, omitting, or erroneously reporting
* information regarding instances of alleged inappropriate behavior by a teacher, administrator, or other school employee toward a student.
* Hazing
* Aiding and/or abetting the commission of any Level Three offense.  A
* student who aids or abets the commission of a Level Three offense by another student shall be charged with Level Three aiding and abetting.

**SECTION 8. Bus Conduct.**

To protect the safety and well-being of all involved, pupils must adhere to established bus conduct rules and the school’s discipline code while on field trips or on school provided transportation.  Bus transportation privilege may be revoked if the pupil does not observe bus conduct expectations.

**APPENDIX MM**

**Threats of Violence**

The Governing Board of Westside Atlanta Charter School (“Board”) adopts the following policy which shall be effective on that date that the policy is adopted by the Board.

**SECTION 1. Policy.**

It is the policy of the Governing Board to take all reasonable steps to provide a safe environment for students and staff. To that end, any threat by any individual directed toward another which if carried out would pose a potential danger to the life and safety of students and/or staff should be regarded and treated seriously.

**SECTION 2. Responsibility for Reporting**

SECTION 2.1. Any student who receives information concerning such a threat should immediately report that information to a teacher, counselor, or school administrator. The failure of a student to report such information may be treated as a disciplinary problem.

SECTION 2.2. Any employee who receives information concerning such a threat should take appropriate action to respond to the threat which could include taking steps to separate the student perceived to be a threat from the potentially threatening situation and/or reporting the information to the Administrator(s). If the staff member believes the situation is so serious as to warrant the notifying of outside authorities, the employee must notify the Administrator(s) so that the Administrator(s) can be responsible for taking such steps.

**SECTION 3. Administrative Action.**

SECTION 3.1. The Executive Director/Principal or other authorized school leader should take immediate steps to investigate and determine the factual circumstances of the threat and then determine the appropriate action to respond to it. Such action may include disciplining the student(s) involved as appropriate under school rules, contacting the parents of the student(s) involved, contacting appropriate law enforcement or other officials.

SECTION 3.2. Whenever the responsible Administrator(s) feels that it is necessary to contact outside officials to respond to a threat appropriately, the principal or other school leader should also contact the Board.

**APPENDIX NN**

**WEAPONS AT SCHOOL**

The Governing Board of Westside Atlanta Charter School (“Board”) adopts the following policy which shall be effective on that date that the policy is adopted by the Board.

SECTION 1. Purpose and General Policy Provisions.

SECTION 1.1. The presence of weapons on school property is detrimental to the welfare and safety of the students and school personnel, and is a violation of state law.

SECTION 1.2. Definitions

SECTION 1.2.1. Weapon is defined as any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, metal knucks, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nanchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser as defined in subsection (a) of Code Section 16-11-106. This section excludes any of these instruments used for classroom work authorized by the teacher.” Weapon shall also include any instrumentality or object which if used in an offensive manner could cause bodily injury to a person or property, or places a person in fear for his/her safety. (O.C.G.A. 16-11-127.1). Also prohibited are any explosive, incendiary, or poison gas and any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and any combination of parts either designed or intended for use in converting any device into a destructive device described above from which a destructive device may be readily assembled.

SECTION 1.2.2 School Safety Zone - the area in or within 1,000 feet of any real property owned by or leased to School

SECTION 2. No person shall carry, possess, or have under such person's control any weapon or explosive compound within a school safety zone, or in any school building, on school premises, at any school sponsored function or activity, in any school vehicle or bus; or in a private vehicle parked on school property, or on other public or private property in proximity to school property while attending school or a school sponsored or school related function.

SECTION 3. Exceptions.

In accordance with Georgia law, the following are exceptions to this prohibition:

SECTION 3.1.1. Competitors while participating in organized sport shooting events, or firearm training courses

SECTION 3.1.2. Persons participating in school-sponsored military training programs conducted by or on behalf of the armed forces of the United States or the Georgia Department of Defense

SECTION 3.1.3. Persons participating in law enforcement training conducted by the police academy certified by the Peace Officers Standards and Training Council, or by a law enforcement agency of the state or the United States or any political subdivision thereof

SECTION 3.1.4. The following persons, when acting in the performance of their official duties or when en route to or from their official duties;

1. A peace officer as defined by Georgia law
2. A law enforcement officer of the United States government
3. A prosecuting attorney of this state or of the United States
4. An employee of the Georgia Department of Corrections or a correctional facility operated by a political subdivision of this state or the United States who is authorized by the head of such correctional agency or facility to carry a firearm
5. A person employed as a campus police officer or school security officer who is authorized to carry a weapon.

SECTION 3.1.5. A person who has been authorized in writing by a duly authorized official of the school to have in his/her possession or use a weapon to be used as part of a school-sponsored activity

SECTION 3.1.6. Persons employed in fulfilling defense contracts with the government of the United States or agencies thereof when possession of the weapon is necessary for manufacture, transport, installation, and testing under the requirements of such contract

SECTION 3.1.7. Those employees of the State Board of Pardons and Paroles when specifically designated and authorized in writing by the members of the State Board of Pardons and Paroles to carry a weapon

SECTION 3.1.8. The Attorney General and those members of his staff whom he specifically authorizes in writing to carry a weapon

SECTION 3.1.9. Probation supervisors employed by and under the authority of the Department of Corrections when specifically designated and authorized in writing by the Executive Director/Principal

SECTION 3.1.10. Trial judges

SECTION 3.1.11. Medical examiners, coroners and their investigators who are employed by the State or any political subdivision thereof

SECTION 3.1.12. Teachers or other school personnel who are otherwise authorized to possess or carry weapons provided that the weapon is in a locked compartment of a motor vehicle or in a locked container or a locked firearms rack in the vehicle.

SECTION 3.1.13. Persons, other than students, licensed or having permits under O.C.G.A. §16-11-129 or §43- 38-10, when:

* such person carries or picks up a student at a school building, school function or school property, on a bus or other transportation furnished by the school;
* such person has any weapon legally kept within the vehicle in transit through a designated school by any person other than a student; and
* such person has a weapon which is in a locked compartment of a motor vehicle or one which is in a locked container in or a locked firearms rack which is on a motor vehicle which is being used by an adult over 21 years of age to bring to or pick up a student at a school building, school function, or school property, or on a bus or other transportation furnished by the school; or when such vehicle is used to transport someone to an activity being conducted on school property which has been authorized by a duly authorized official of the school.

SECTION 3.1.14. Persons who reside or work in a business or who are in the ordinary course of transacting lawful business.

SECTION 4. Notice.

SECTON 4.1. The School shall post in a prominent place in each building of the School the following notice:

**IT IS UNLAWFUL FOR ANY PERSON TO CARRY, POSSESS OR HAVE UNDER CONTROL ANY WEAPON AT A SCHOOL BUILDING, SCHOOL FUNCTION OR ON SCHOOL PROPERTY OR ON A BUS OR OTHER TRANSPORTATION FURNISHED BY THE SCHOOL.**

**"Weapon" means and includes any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, metal knucks, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nanchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser as defined in subsection (a) of Code Section 16-11-106. This section excludes any of these instruments used for classroom work authorized by the teacher. VIOLATION MAY RESULT IN EXPULSION FROM SCHOOL FOR A PERIOD OF NOT LESS THAN ONE CALENDAR YEAR AND/OR CRIMINAL PROSECUTION.**

SECTION 5. Penalties.

SECTION 5.1. Any employee who has reasonable cause to believe that a student or other person is in violation of this policy shall make a written report of that fact and the name of the person suspected to the principal or other authorized school leader.

SECTION 5.2. The Executive Director/Principal or other authorized school leader after being satisfied that the reported violation is true, shall make an oral and written report to the Board President, the appropriate police authority, and the district attorney.

SECTION 5.3. The penalty for violation of this policy by bringing to school a weapon as defined above will be expulsion from school for a period of not less than one calendar year and may result in criminal prosecution, except that the Board may modify the expulsion requirement on a case by case basis when in its sole discretion determine that circumstances warrant same.

SECTION 6. Students with Disabilities: 45 Day Interim Alternative Placement

SECTION 6.1. Any child with a disability who is determined to have brought a firearm to school may be placed in an interim alternative educational setting for not more than forty-five (45) days, as determined and ordered by a special education committee qualified to make special education decisions under 20 USC 1401(a)(20).

SECTION 6.2. If a parent or guardian requests a due process hearing under IDEA, the child shall nevertheless remain in the alternative educational setting above referred to during the pendency of any proceeding conducted in connection therewith, unless the parents and duly authorized school system representatives agree otherwise.

SECTION 6.3. Students whose Misbehavior Is Unrelated To The Disability.

Any student with a disability whose behavior is unrelated to the disability shall be subject to the one-year expulsion requirement for a "firearms" violation as defined above, the same as a student without such a disability, except to the extent that such expulsion is inconsistent with the United States Department of Education's final guidance concerning state and local responsibilities under the Gun-Free Schools Act of 1994, as amended, and that educational services shall not cease.

**APPENDIX OO**

**BULLYING**

The Governing Board of Westside Atlanta Charter School (“Board”) adopts the following policy which shall be effective on that date that the policy is adopted by the Board.

SECTION 1. Purpose and General Policy Provisions.

All students have a right to a safe and healthy school environment free from bullying or other harassing behavior.

SECTION 2. A student shall not bully, harass, or intimidate another student through words or actions. Such behavior includes but is not limited to: direct physical contact such as hitting or shoving; verbal assaults such as teasing or name-calling; the use of electronic methods to harass, threaten or humiliate, and social isolation and/or manipulation. Cyber bullying (bullying via electronic means) using school equipment, school networks, email systems is prohibited and is covered in this policy.

SECTION 2.1. Any student who engages in bullying on school grounds, while traveling on a school bus, or while attending a school sponsored activity shall be subject to disciplinary action up to and including expulsion.

SECTION 2.2. Students are expected to immediately report incidents of bullying, harassment and intimidation to the principal or authorized school leader or by calling the Georgia Department of Education’s 1-877 SAY-STOP (1-877-729-7867) School Safety Hotline.

SECTION 2.2.1. School staff members are expected to immediately intervene when they see a bullying incident occur. Each complaint of bullying shall be promptly investigated in a thorough and confidential manner. The investigation shall include interviewing the alleged perpetrator(s) and victim(s), identified witnesses, teacher(s) and staff members and reviewing video surveillance if available. School police, school counselors, school social workers and/or other support staff should be utilized for their expertise as determined by the circumstances of the matter.

SECTION 2.2.2. Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.

SECTION 2.2.3. If the complainant student or parent(s) or guardian(s) of the student feels that appropriate resolution of the investigation or complaint has not been reached after consulting the Executive Director/Principal, the student or the parent of the student should contact the local superintendent or his or her designee.

SECTION 2.2.4. The school prohibits retaliatory behavior against any complainant or any participant in the complaint process.

SECTION 3. Disciplinary action may include but is not limited to the following:

* Loss of a privilege
* Reassignment of seats in the classroom, cafeteria or school bus
* Reassignment of classes
* In-school suspension
* Out-of-school suspension
* Detention
* Expulsion (through appropriate due process hearing)
* Assignment to an alternative school (through appropriate due process hearing)

SECTON 4. If necessary, counseling and other interventions should also be provided to address the social-emotional, behavioral, and academic needs of students who are victims of bullying and students bully others.

**APPENDIX PP**

**SECLUSION AND RESTRAINT**

The Governing Board of Westside Atlanta Charter School (“Board”) adopts the following policy which shall be effective on that date that the policy is adopted by the Board.

SECTION 1. General Policy Provisions.

SECTION 1.1. The use of chemical restraint, mechanical restraint, or prone restraint, as defined by Georgia Department of Education Rule 160-5-1-.35, is prohibited in the School.

SECTION 1.2. The use of seclusion, as defined by Georgia Department of Education Rule 160-5-1-.35, is prohibited within the School.

SECTION 1.2.1. Seclusion does not include “time-out,” defined as a behavioral intervention in which the student is temporarily removed from the learning activity but in which the student is not confined.

SECTION 1.2.2. Seclusion does not include in-school suspension, detention, or a student-requested break in a different location in the classroom or in a separate unlocked room.

SECTION 2. Physical restraint may be utilized only when the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques.

SECTION 2.1. Physical restraint does not include: providing limited physical contact and/or redirection to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing guidance to a location, or providing comfort.

SECTION 2.2. Physical restraint shall not be used (1) as a form of discipline or punishment (2) when the student cannot be safely restrained; or (3) when the use of the intervention would be contraindicated due to the student’s psychiatric, medical, or physical conditions as described in the student’s educational records.

SECTION 2.3. All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress.

SECTION 2.4. Before any staff member may implement physical restraint, he or she should have completed an approved training program.

SECTION 2.4.1 Approved training programs must address a full continuum of positive behavioral intervention strategies as well as prevention and de-escalation techniques and restraint.

SECTION 2.4.2. Schools and programs shall maintain written or electronic documentation on training provided and the list of participants in each training. Copies of such documentation will be made available to the Georgia Department of Education or any member of the public upon request.

SECTION 2.5. If a staff member who has not completed an approved training program has to physically restrain a student to prevent injury to a student or others in an emergency situation when staff members trained in physical restraint are not available, he or she should ask other students, if present, to request assistance immediately.

SECTION 2.6. Whenever possible, the use of physical restraint on a student shall be monitored by another staff member or administrator. The use of physical restraint shall be documented by staff or faculty participating in or supervising the restraint for each student in each instance in which the student is restrained.

SECTION 2.7. Whenever physical restraint is used on a student, the school or program where the restraint is administered shall notify the student’s parent(s) or guardian(s) within one school day after the use of restraint.

SECTION 3. This policy does not prohibit a staff member from utilizing time-out, as defined above, or any other classroom management technique or approach, including a student’s removal from the classroom that is not specifically addressed in this rule.

SECTION 4. This policy does not prohibit a staff member from taking appropriate action to diffuse a student fight or altercation.

SECTION 5. The decision whether or not the use of physical restraint is necessary to protect students or others from imminent harm or bodily injury, and taking the actions deemed necessary to protect students or others from imminent harm or bodily injury, are actions that involve the performance of discretionary, not ministerial, duties.

SECTION 6. In some instances in which a student is an immediate danger to himself or herself or others, the school or program must determine when it becomes necessary to seek assistance from law enforcement and/or emergency medical personnel. Nothing in this policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel.

SECTION 7. School officials must notify a student’s parent(s) or guardian(s) immediately when emergency medical or law enforcement personnel remove a student from a school or program setting.